

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**IN RE WYATT & McALISTER, PLLC  
A Mississippi Limited Liability Company**

**CIVIL NO. 3:10cv436-HTW-LRA**

*Consolidated with*

**IN RE WYATT & McALISTER, PLLC  
A Mississippi Liability Company**

**CIVIL NO. 3:10cv449-DPJ-FKB**

**MOTION FOR ADDITIONAL TIME**

COMES NOW Vann F. Leonard (Leonard), counsel for Appellant Debtor Wyatt & McAlister PLLC, and files his Motion for Additional Time to file the opening brief for his client in connection with the proposed Agreed Scheduling Order submitted by counsel for Appellee Mary McAlister, and in support thereof would respectfully show unto this honorable Court as follows, to-wit:

1. On October 15, 2010, Leonard injured his back and neck. For that time through the present, Leonard either has been hospitalized in Mississippi, placed on rest at home, or received additional treatment out of state. At this time, Leonard continues to undergo intensive physical therapy at a local facility. Because of the foregoing medical condition, Leonard has been unable to perform his normal duties within the office and has been working on an extremely limited basis. Thus, Leonard respectfully requests as much additional time as this honorable Court will allow him to prepare and file his client's opening brief and counsel for the Appellee is unopposed to allowing Leonard until December 27, 2010 to file same.
2. This pleading is not filed for the purpose of delay, but only because of an unexpected medical injury. The Appellee will suffer no harm if Leonard is granted until December 27, 2010 to prepare and file his client's opening brief.

WHEREFORE, PREMISES CONSIDERED, Vann F. Leonard prays that this Motion for

Additional Time be received and filed and that upon consideration thereof this Court will grant him as much additional time as is possible, but in no event sooner than December 27, 2010, to file his client's opening brief. Further, Leonard prays for any and all other relief, either general or specific, to which he may be entitled in the premises.

DATED this the 12<sup>th</sup> day of November, 2010.

Respectfully submitted,

WYATT & McALISTER PLLC

By: s/ Vann F. Leonard  
Vann F. Leonard, Attorney for the Appellant

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CERTIFICATE OF SERVICE

I hereby certify that I have this date electronically filed the above and foregoing Motion for Additional Time with the Clerk of this Court using the ECF system, which sent notification of such filing to the following:

Lawrence E. Allison, Jr., Esquire  
Joseph Anthony Sclafani, Esquire  
Brunini, Grantham, Grower & Hewes, PLLC  
Post Office Box 119  
Jackson, Mississippi 39205

DATED this the 12<sup>th</sup> day of November, 2010.

s/ Vann F. Leonard

Derek A. Wyatt, Esquire  
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Madison, Mississippi 39110